

5702-00068

10/762,709

Remarks

In the Office Action mailed on October 15, 2004, the Examiner rejected claim 1 under the doctrine of obviousness-type double patenting as being unpatentable over claims 6 and 7 of U.S. Patent No. 6,685,223; rejected claims 2 and 3 under 35 U.S.C. 101 as claiming the same invention as that of claims 6 and 7 of prior U.S. Patent No. 6,685,223; and rejected claim 1 under 35 U.S.C. 103(a) as being unpatentable over Lohr (3,711,115) in view of Kirchoff et al. (3,972,545).

A. Rejection of claim 1 under the doctrine of obviousness-type double patenting

Applicant respectfully submits a terminal disclaimer pursuant to 37 C.F.R. §1.321 (b) and (c) to obviate the double patenting rejection.

B. Rejection of claims 2 and 3 under 35 U.S.C. 101 as claiming the same invention as that of claims 6 and 7 of prior U.S. Patent No. 6,685,223.

Applicant has canceled pending claims 2 and 3.

C. Rejection of claim 1 under 35 U.S.C. 103(a) as being unpatentable over Lohr (3,711,115) in view of Kirchoff et al. (3,972,545).

Applicant respectfully submits that the rejection of claim 1 under 35 U.S.C. 103(a) should be withdrawn because a prima facie case for the obviousness of claim 1 has not been established. Specifically, there is no suggestion or motivation, either in the references or in the knowledge generally available to one of ordinary skill in the art, to combine the teachings of Lohr '115 and Kirchoff et al. '545 to provide method steps of "humidifying the filtered combustion products to form humidified filtered combustion products" and "routing the humidified filtered combustion products into the airbag", as recited in claim 1.

The cited references do not, either alone or in combination, show or suggest any relationship between the addition of water to the combustion products after combustion, and after the filtration of the combustion products. In the cited references, both the use of filters (in Kirchoff et al. '545) and the addition of water (in Lohr '115) are directed to cooling the gases prior to injection of the gases into an airbag. In Lohr '115, water is added to combustion gases for cooling the gases prior to injection of the gases into an airbag. No filtration of the gases is disclosed, either prior to or after addition of the water to the gases. Therefore, there is no teaching or suggestion in Lohr '115 regarding filtration of combustion products either before or after humidification of the combustion products. Kirchoff et al. '545 is silent as to the addition of water to the combustion products, either before or after filtration. Therefore, there is no teaching or suggestion in Kirchoff et al. '545 regarding filtration of combustion products either before or after humidification of the combustion products. Thus, neither of the cited references, alone

5702-00068

10/762,709

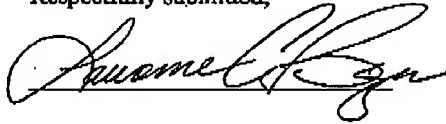
or in combination, show nor suggest any relationship between the addition of water to the combustion products after combustion, and the filtration of the combustion products.

Also as stated above, Kirchoff et al. '545 is silent as to the addition of water to combustion products either before or after filtration. However, Lohr '115 teaches the addition of water to combustions gases without prior filtration of the gases. Lohr '115 also teaches the routing of unfiltered combustion products into the airbag. Therefore, Lohr '115 teaches against filtration of combustion products prior to the addition of water, and against the routing of humidified filtered combustion products into the airbag, as disclosed in the present application.

For the reasons set forth above, there is no suggestion or motivation, either in the references or in the knowledge generally available to one of ordinary skill in the art, to combine the teachings of Lohr '115 and Kirchoff et al. '545 to provide method steps of "humidifying the filtered combustion products to form humidified filtered combustion products" and "routing the humidified filtered combustion products into the airbag", as recited in claim 1.

In view of the above amendments and remarks, the Applicant respectfully submits that all rejections of record have been overcome. The Applicant respectfully requests favorable reconsideration and allowance of the present application. Applicant has calculated a fee of \$110.00 to be due in connection with this paper. The Commissioner is authorized to credit any overpayments or charge any deficiencies to Deposit Account No. 50-3238.

Respectfully submitted,



Laurence C. Begin
Attorney for Applicants
Reg. No. 42,310

Dated: 1/18, 2005

L.C. Begin & Associates, PLLC
510 Highland Ave.
Milford, Michigan 48357
Telephone: (248) 889-5875
Facsimile: (248) 887-7664